

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1175 be amended to read as follows:

- 1       Page 2, delete line 15 and insert "**contact the prosecuting attorney.**
- 2       **The child has the right under section 3 of this chapter to confer**
- 3       **with the prosecuting attorney before the interview or deposition**
- 4       **occurs. The prosecuting attorney may not instruct the child not to**
- 5       **speak with defense counsel."**
- 6       Page 2, delete lines 16 through 19, begin a new paragraph, and
- 7       insert:
- 8       **"(c) If defense counsel would like to depose a child, defense**
- 9       **counsel must notify the prosecuting attorney. Upon receiving**
- 10       **notification from defense counsel, the prosecuting attorney shall**
- 11       **contact the child to determine a reasonable date and time for the**
- 12       **deposition and shall communicate this information to defense**
- 13       **counsel within a reasonable amount of time."**
- 14       Page 2, line 20, delete "or interview".
- 15       Page 2, line 23, delete "or interview".
- 16       Page 2, line 23, delete "regarding:" and insert "**in accordance with**
- 17       **the conditions described in Trial Rule 26. The parties shall make**
- 18       **every effort to establish conditions agreeable to each side."**
- 19       Page 2, delete lines 24 through 34.
- 20       Page 2, line 36, delete "or interview".
- 21       Page 2, line 37, delete "or interview" and insert "**under Trial Rule**
- 22       **26"**.
- 23       Page 2, line 38, delete "or interview".
- 24       Page 2, line 41, delete "or" and insert ".".

- 1      Page 2, delete line 42.  
         (Reference is to HB 1175 as printed February 18, 2009.)

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Representative Riecken